Supreme Court, U.S.
FILED

95 1843 MAR 7 1996

OFFICE OF THE CLERK

Docket No._____

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER 1995 TERM

MICHAEL ROBINETT
Petitioner

v.

THE
FEDERAL GOVERNMENT OF THE UNITED STATES
Respondent

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF
APPEALS FOR THE FEDERAL CIRCUIT
IN 95-5023

PETITION FOR A WRIT OF CERTIORARI

Plaintiff Pro-Se
Michael Robinett
1609 South Fairfield Drive
Pensacola, Florida 32507
(904) 456-9777

44pp

QUESTIONS PRESENTED FOR REVIEW

1. Are the plaintiff's claims for back wages, expenses, ordinary income losses and personal injury damages in the jurisdiction of the U.S. Court of Appeals for the Federal Circuit or are they properly in the jurisdiction of the U.S. Supreme Court? The claims are set out on pages 1-10 of the original complaint filed April 8, 1994 in 94-229T. The Order dismissing those claims for lack of jurisdiction was filed April 14, 1994.
2. Is the plaintiff's claim for payment of refund due of federal tax overpayment within the Claim Court's jurisdiction or is it within the Supreme Court's jurisdiction? Plaintiff provided the court with IRS documentation demonstrating an assessed tax liability of zero before filing suit.
3. Was the U.S. Court of Appeals correct in affirming the decision of the lower court in its August 10, 1995 Order in 95-5023 and is the complaint beyond the jurisdiction of the lower court in items 1 & 2 above?
4. Was the Appeals Court in conflict with the decision in Orlikow v. U.S. in regards to the application of the statute of limitations (682 F.Supp. 77 (D.D.C. 1988)) in its August 10, 1995 Order for dismissal and denial of rehearing?
5. Are claims concerning non-specified injections, exposure to radiation, electronic identification tagging, etc., outside the jurisdiction of the lower court and if so, which court does have jurisdiction, the Supreme Court? This also includes radiation exposures outside the specified time periods and geographical regions covered under 28CFR PART 79 where specified time periods end in 1962 and only certain geographical areas are specified.

PARTIES TO THE PROCEEDINGS

MICHAEL ROBINETT
1609 South Fairield Drive
Pensacola, Florida 32507
(904) 456-9777

THE FEDERAL GOVERNMENT
OF THE UNITED STATES
Defense Counsel
Drew S. Day III
Solicitor General of the United States
Room 5614
Department of Justice
10th Street and Constitution Avenue N.W.
Washington, D.C. 20530
(202) 514-2201

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CITED STATUTES & AUTHORITIES

Statutes:

The Constitution of the United States
Arcticle III
Amendment I
Amendment IV
Amendment V
Amendment VII
Amendment VIII
Amendment IX
Amendment XIII
Amendment XV
Amendment XXIV
The Internal Revenue Code
Section 999(a) & (b)
Section 1563(a)
Section 883(b)
Section 3231 (a), (b), (d), & (e)
Section 3121 (a) & (b), (2), (5), (6), (7), & (c)
Section 168 (h)(3), (4)(A)(i), (B) (i), (ii), (iii),
(iv), & (v)
Section 9012 (c)(1)(A)
Section 692 (c)(1)(A)
Section 193 (a), (b), (1) & (2)
Section 190 (a)(i)
Section 7422 (c) & (f)
Title 45, Code of Federal Regulations Part 46
Cal-OSHA IWCC Order 10-85
The Tucker Act: 28 U.S.C. 1491.4

CASES

Assassination Archives and Research Center, Inc.
Plaintiff, v. Central Intelligence Agency, Defendant
Civ. A. No. 88-2600 United States District Court,
District of Columbia, Sept. 11, 1989

Fitzgibbon v. Central Intelligence Agency,
Nos. 89-5213, 89-5214 United Statesl Court of
Appeals, District of Columbia Circuit, May 17, 1990,
August 14, 1990

Marks v. Central Intelligence Agency

Orlikow v. United States, Civ. A. No. 80-3163.
United States District Court, District of Columbia,
January 19, 1988

Stanley v. United States, 483, US 669 97 L Ed 2d 550
107 S Ct 3054 No 86-393 April 21, 1987.
June 25, 1987

United States v. Bechtel Corporation, Bechtel Incorporated,
Bechtel Power Corporation, Bechtel International, Inc.,
and Bechtel International Corporation, No. 79-4194
United States Court of Appeals. Ninth Circuit,
January 14, 1981, June 18, 1981

CITATIONS OF THE OFFICIAL AND UNOFFICIAL REPORTS OF THE OPINIONS AND ORDERS ENTERED IN THE CASE BY COURTS, AGENCIES, & PLAINTIFF

1. Original case filed April 8, 1994 with the United States Court of Federal Claims.
2. Docketed as 94-229T and assigned to Judge Robert Hodges April 12. 1994.
3. Order to dismiss claims for back wages, expenses, damages, lost income, etc., entered April 14, 1994 citing lack of jurisdiction by the Court.
   Court agrees to consider the income tax refund portion of the case in the same order. Plaintiff submitted IRS documentation as requested.
4. J.G. Philpot assigned as attorney of record for the defense counsel April 21, 1994. Justice Department. (94 cv 00229 / 94-229T).
5. Defense counsel moved for enlargement of time for IRS to retrieve files, plaintiff offered no objections and offered to forward personal tax records to defense counsel for review by same. Plaintiff was told this would not be necessary.
6. Court granted the defense counsel's motion for enlargement of time from May 31, 1994 to July 22, 1994.
7. Plaintiff filed motion for enlargement of time while requesting government documents and filed motion for relief from Order to Dismiss, June 23, 1994.
8. Defense Counsel moved for enlargement of time to July 29, 1994 to allow IRS to provide form 3050, Certification of Lack of Record to serve as basis for dismissal. See item 5 above also.

9. Plaintiff's motion for Relief from Order to Dismiss returned unfiled.
10. Defense Counsel moved for additional extensions of time.
11. Court filed Order August 10, 1994 granting defense counsel and plaintiff to September 9, 1994 to file supplemental information, complaints and responses.
12. Plaintiff filed motion for additional enlargement of time and included motions previously filed for Relief from April 14, 1994 Order to Dismiss.
13. Court filed Order dated September 16, 1994 denying motion for enlargement of time and dismissing the entire complaint. No mention of the Motion for relief from April 14, 1994 Order to Dismiss was made.
14. Plaintiff also filed Motion for Relief from September 16, 1994 Order to Dismiss on September 23, 1994.
15. Court issued Order October 6, 1994 denying the plaintiff's motion for Relief from Order to Dismiss.
16. Appeal was filed by plaintiff with the United States Court of Appeals for the Federal Circuit and docketed as 95-5023, Robinett v. U.S. on November 29, 1994.
17. The Plaintiff-Appellant's brief was filed with the Appeals Court January 26, 1995, Motion to Correct was filed by the plaintiff February 7, 1995 regarding the correct number of an Executive Order and a replacement brief was submitted February 14, 1995.
18. The Appellee's brief was filed March 31, 1995.
19. The Plaintiff-Appellant's reply brief was filed May 1, 1995 along with a motion to correct misstatements in the Appellee's brief.
20. The Appeals Court filed a Decision August 10, 1995

affirming the lower Court's dismissal based on lack of jurisdiction.

21. The plaintiff filed a Petition for Rehearing and Suggestion for Rehearing in Banc September 18, 1995 and made a motion to include additional documentation with the Petition.
22. Court granted the plaintiff's motion to include additional documentation.
23. The United States Court of Appeals for the Federal Circuit filed an Order November 8, 1995 denying the petition for rehearing and declined the suggestion for rehearing in Banc. (95-5023).
24. The Mandate of the Appeals Court issued November 15, 1995.
25. The plaintiff filed for an extension of time to file a Petition for Writ of Certiorari with the United States Supreme Court January 11, 1996 of 60 days to April 7, 1996.
26. The Chief Justice of the U.S. Supreme Court granted an extension up to and including March 7, 1996 to file the petition.
27. The plaintiff filed an application for Stay of Mandate with the Supreme Court January 11, 1996 which was returned unfiled pending filing with the Appeals Court.
28. Plaintiff filed a Stay of Mandate with the Appeals Court January 29, 1996.
29. The Appeals Court granted the motion for Stay of Mandate February 26, 1996 pending review of the Petition for Writ of Certiorari with the Supreme Court of the United States.
30. Plaintiff filed the Petition for Writ of Certiorari with the U.S. Supreme Court March 7, 1996 and paid the fee.

31. In a separate pleading, the plaintiff also filed a Petition for Writ of Prohibition on March 7, 1996.
32. The Petition for Writ of Certiorari was returned unfiled March 14, 1996 for noncompliance with Rule 33.1.(d) and the Clerk's office granted the petitioner 60 days from March 14, 1996 to resubmit.

BASIS FOR JURISDICTION OF THE SUPREME COURT

The plaintiff requests the Court to review the Order entered by the United States Court of Appeals for the Federal Circuit November 8, 1995 in 95-5023, Robinett v. United States. This petition is filed under Rule 11 of the Supreme Court of the United States, and Article III of the Constitution of the United States.

The Chief Justice of the Supreme Court of the United States granted the plaintiff an extension of time to and including March 7, 1996 to file the Petition for Writ of Certiorari.

Plaintiff filed the petition on that date and was granted an additional 60 days to resubmit the petition in compliance with Rule 33.1.(d).

Motion for a Stay of Mandate in the United States Court of Appeals for the Federal Circuit has been granted pending review of the petition by the Supreme Court.

The Mandate of the Appeals Court denying the combined petition for rehearing and suggestion for rehearing in banc was issued November 15, 1995. The plaintiff maintains that the Appeals Court has entered a decision in conflict with the decisions of other U.S. Appeals Courts on some of the same important matters and has decided an important federal question in a way that conflicts with relevant decisions of the United States Supreme Court.

While judgement has been issued by the Appeals Court, stay of mandate has been granted in that court, therefore 28 U.S.C. 2101(e) is also cited invoking the jurisidiction of the Supreme Court under Rule 11.

Since the judgement of the Appeals Court is sought to

be reviewed, the basis for federal jurisdiction in the lower court is also mentioned here and includes Article III, sections 1 & 2 of the United States Constitution, Amendments I, IV,V, VIII, IX, X, XIII, XV, and XXIV, Title 45 Code of Federal Regulations Part 46, the Internal Revenue Code, including sections 999, 1563, 883, etc. as listed in the original case filing, and 28 U.S.C. 1491 in onjunction with Amendments I and V of the U.S. Constitution.

While the constitutionality of certain Acts of Congress is called into question, the United States is a party to the suit and federal departments, offices, agencies, officers and employees are likewise involved, therefore, 28 U.S.C. 2403(a) may apply.

Service shall be made on the Solicitor General of the United States.

The United States Court of Appeals for the Federal Circuit has not certified to the Attorney General of the United States that the constitutionality of an Act of Congress was drawn into question pursuant to 28 U.S.C. 2403(a).

REASONS RELIED ON FOR ALLOWANCE OF THE WRIT OF CERTIORARI

1. As mentioned previously, the Appeals Court has entered a decision in conflict with the decision of another United States Court on the application of the statute of limitations. The constitutionality of certain Acts of Congress is also called into question here. (See also, Orlikow v. U.S. 682 F.Supp. 77 (D.D.C 1988).
2. The lower Court and the Appeals Court have decided important questions of federal law that should be reviewed by the Supreme Court. If the lower courts enter decisions in conflict with past Supreme Court decisions, and if no other court can claim jurisdiction over legal 'gray areas' involving new technologies not covered by existing laws, than certainly these issues should be addressed to the Supreme Court. (see especially questions 4 & 5 on page 2 of this petition).

APPENDIX

TEXT: Petition Seeking Writ of Prohibition

filed: March 7, 1996 as a separate pleading from Petition for Writ of Certiorari.

No._____

In The Supreme Court of the United States

Michael Robinett

Plaintiff

v.

The Federal Government of the United States

Defendant

Petition Seeking Writ of Prohibition

(Separate Pleading)

The plaintiff petitions the Court for a writ of prohibition against the defendant for allowing use of federal funds and technology against United States citizens in general and the plaintiff in particular at any time in general and during national and state election campaigns in particular.

This petition also includes prohibition against the defendant for use of federal funds and technology for the purposes of obstruction of the plaintiff in filing legal action against the defendant.

This includes use of federally funded surveillance and monitoring technologies for the sole purposes of obstruction, political, economic, social or psychological destabilization and suppression or use in inducing private U.S. citizens to engage as agents of the defendant in the above mentioned activities.

This prohibition includes use of federally funded officers, employees, agents, etc. in violation of the Hatch Act

in both federally and privately funded election campaigns in activities to defraud or obstruct U.S. citizens in general and the plaintiff in particular.

TEXT: Action on application for stay of mandate

Supreme Court of the United States
Office of the Clerk
Washington, D.C. 20543

William K. Suter
Clerk of the Court

February 21, 1996

Dear Mr. Robinett:

Your application for stay received February 16, 1996 is herewith returned for the following reason(s):

You failed to comply with Rule 23.3 of the Rules of this Court which requires that you first seek the same relief in the appropriate lower courts and attach copies of the orders from the lower courts to your application filed in this Court.

You failed to identify the judgement you are asking the Court to review and to append a copy of the order or opinion as required by Rule 23.3 of this Court's Rules.

You must set forth with specificity why the granting of a stay is deemed justified.

I spoke with the United States Court of Appeals for the Federal Circuit and your stay application is pending and they do not plan on ruling on it. Also, the copy of the lower court's opinion is missing pages--you must enclose a copy of the entire opinion. In addition you must state what harm will occur if a stay is not granted.

Sincerely,
William K. Suter
Clerk
By:
Cynthia Rapp

TEXT: Action on application for extension of time

Supreme Court of the United States
Office of the Clerk
Washington, D.C. 20543

William K. Suter
Clerk of the Court

January 24, 1996
Re: Michael Robinett
v. United States
Application No. A-604

Dear Mr. Robinett:

The application for an extension of time within which to file a petition for writ of certiorari in the above-entitled case has been presented to the Chief Justice who on January 24, 1996, extended the time to and including March 7, 1996.

This letter has been sent to those on the attached notification list.

Sincerely,
William K. Suter,
Clerk
By:
Sandra Elliot Spagnolo
Assistant Clerk

TEXT: Order granting stay of mandate

United States Court of Appeals for the Federal Circuit
95-5023, Robinett v. U.S.
ORDER

Appellant's motion for stay of mandate filed with this court on January 30, 1996, being treated as a motion to recall mandate is hereby, GRANTED; the mandate is stayed pending action on appellant's Petition for Writ of Certiorari with the Supreme Court of the United States.

For the Court
Francis X. Gindhart
Clerk

February 26, 1996

cc: Michael Robinett
Gary R. Allen, Esq.
U.S. Court of Federal Claims

TEXT: Order concerning combined petition for rehearing

United States Court of Appeals for the Federal Circuit

ORDER

A combined petition for rehearing and suggestion for rehearing in banc having been filed by the Appellant, and the petition for rehearing having been referred to the panel that heard the appeal, and thereafter the suggestion for rehearing in banc having been referred to the circuit judges who are in regular active service,

Upon consideration thereof, it is

Ordered that the petition for rehearing be, and the same is hereby, Denied and it is further

Ordered that the suggestion for rehearing in banc be, and the same hereby is, Declined.

The mandate of the court will issue November 15, 1995.

For the Court
Francis X. Gindhart,
Clerk

Dated: November 8, 1995

By:
Diane M. Frye
Chief Deputy Clerk

cc: Michael Robinett
Gary R. Allen
Robinett v. US
(CFC - 94-229T)

Note: Pursuant to Fed. Cir. R. 47.6, this order is not citable as precedent. It is a public record.

TEXT: Judgement, U.S. Court of Appeals

United States Court of Appeals for the Federal Circuit

95-5023

Michael Robinett

Plaintiff-Appellant

v.

The United States

Defendant-Appellee

JUDGEMENT

On Appeal from the: U.S. Court of Federal Claims
in Case No. 94-229T
this Cause having been heard and considered, it is
Ordered and Adjudged:

AFFIRMED

Dated: August 10, 1995

Entered by Order of the Court
Francis X. Gindhart,
Clerk

Issued as Mandate: November 15, 1995

TEXT: Notice of Entry of Judgement and Opinion

United States Court of Appeals for the Federal Circuit

Notice of Entry of Judgement
Accompanied by Opinion

Opinion Filed and Judgement Entered: August 10, 1995

The attached opinion announcing the judgement of the court in your case was filed and judgement was entered on the date indicated above. The mandate will be issued in due course.

Information is also provided about petitions for rehearing and suggestions for rehearing in banc. The questions and answers are those frequently asked and answered by the Clerk's Office.

Costs are taxed against the Appellant(s) in favor of the Appellee(s) under Rule 39. The party entitled to costs is provided a bill of costs form and an instruction sheet with this notice.

The parties are encouraged to stipulate to the costs. A bill of costs will be presumed correct in the absence of a timely filed objection.

Costs are payable to the party awarded costs. If costs are awarded to the government, they should be paid to the Treasurer of the United States. Where costsl are awarded against the government, payment should be made to the person(s) designated under the governing statutes, the court's orders, and the parties written settlement agreements. In cases between private parties, payment should be made to counsel

for the party awarded costs or, if the party is not represented by counsel, to the party pro se. Payment of cousts should not be sent to the court. Costs should be paid promptly.

If the court also imposed monetary sanctions, they are payable to the opposing party unless the court's opinion provides otherwise. Sanctions should be paid in the same way as costs.

Exhibits and visual aids shall be promptly retrieved by the party that lodged them with this court.

Francis X. Gindhart
Clerk

cc: Michael Robinett
Gary R. Allen

Robinett v. US, 95-5023
(CFC - 94-229T)

TEXT: Notice of entry of judgement and opinion

Corrected
United States Court of Appeals for the Federal Circuit

Notice of Entry of Judgement
Accompanied by Opinion

Opinion Filed and Judgement Entered: August 10, 1995

The attached opinion announcing the judgement of the court in your case was filed and judgement was entered on the date indicated above. The mandate will be issued in due course.

Information is also provided about petitions for rehearing in banc. The questions and answers are those frequently asked and answered by the Clerk's Office.

No costs will be taxed in thisl appeal.

Exhibits and visual aids will be promptly retreived by the party that lodged them with this court.

Francis X. Gindhart
Clerk

cc: Michael Robinett
Gary R. Allen

Robinett v. US, 95-5023
(CFC - 94-229T)

TEXT: August 10, 1995 Decision, Court of Appeals

Note: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record. The disposition will appear in tables appearing periodically.

United States Court of Appeals For the Federal Circuit

95-5023

Michael Robinett,

Plaintiff-Appellant,

v.

The United States,

Defendant-Appellee

DECIDED: August 10, 1995

Before Mayer, Clevenger, and Rader, Circuit Judges.

Per Curiam.

Plaintiff-Appellant Michael Robinett seeks review of the September 22, 1994 Judgement of the United States Court of Federal Claims, Docket No. 94-229T, dismissing his complaint for lack of jurisdiction. We affirm.

Robinett brought suit in the Court of Federal Claims on April 8, 1992. Robinett's complaint included claims dating back to 1979 for overpayment of taxes, back wages, lost income, personal injury damages and expenses. Robinett claimed $101,644.85 for a refund for overpayment of taxes,$114,619850.00 for lost income, and expenses, and $9,579,658,342.00 for personal injury damages.

On April 14, 1994, the Court of Federal Claims dismissed all of Robinett's claims, except the claim for refund

for overpayment of federal taxes, for lack of jurisdiction. The Court of Federal Claims ordered Robinett to file a supplementary complaint describing the basis for his claim for a refund. The Court of Federal Claims required Robinett to include copies of correspondence from the Internal Revenue Service (IRS) rejecting the specific claim for refund for which he sought relief.

On August 10, 1994, the Court of Federal Claims granted Robinett's motion for an extension of time until September 9, 1994 to file his supplemental complaint. On September 6, 1994, Robinett requested a second extension of time in order to "acquire access to the government documents. . . . covering federally funded human & animal experimentation. . . ." On September 16, 1994, the Court of Federal Claims denied Robinett"s motion for a further extension of time. On September 22, 1994, the Court of Federal Claims dismissed Robinett's complaint, pursuant to the September 16, order denying the motion for extension of time.

This court reviews a dismissal of a complaint for lack of jurisdiction de novo. Transamerica Ins. Corp. v. United States, 973 F.2d 1572, 1576 (Fed. Cir. 1992).

Robinett argues that the Court of Federal Claims improperly dismissed his claims for back wages, lost income, expenses and personal injury damages. Below, Robinett argued that the Court of Federal Claims had jurisdiction under 45 C.F.R. part 46 (Protection of Human Subjects) (1995), the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et seq. (1988 & Supp. 1993) (OSHA) and the Constitution. On appeal, Robinett further argues that the Court of Federal Claims had jurisdiction under the National Childhood Vaccine

Injury Act, 42 U.S.C. 300 AA-1 (1988 & Supp. V 1993) (Vaccine Act) because he was injected with foreign material (micro-electronic identification tags, micro-electronic sensor and actuator devices, biological agents, radiological material, and "harassing or discrediting" chemical reagents or toxins). Robinett also claims that hydration and nutrition were removed by injection. We note that 45 C.F.R. part 46 and OSHA do not create any private right of action to recover damages. See, e.g., Crane v. Conoco, Inc., 41 F. 3d 547, 553 (9th Cir. 1994). Robinett failed to allege any violation of a constitutional provision mandating the payment of money damages by the government. The Vaccine Act requires plaintiffs to show that they have been injured by vaccines listed on the vaccine talbe, something that Robinett does not even allege. Therefore, the Court of Federal Claims correctly held that Robinett's claims for back wages, lost income, expenses and personal injury damages were beyond its jurisdiction.

In order to invoke the jurisdiction of the Court of Federal Claims over a tax refund suit, the taxpayer must have made full payment of the outstanding liability. Flora v.United States, 362 U.S. 145, 177 (1960). Robinett argues that he provided the Court of Federal Claims with the IRS documentation required by the Court of Federal Claims in its April 14 order. Robinett points to correspondence from the IRS showing that he owed no taxes for the 1992 tax year. Actually, this is nothing more than a letter with respect to a single year, and contains no information with respect to any of the sixteen other tax years for which Robinett seeks a refund. Therefore, the Court of Federal Claims properly dismissed Robinett's claim for a refund of taxes.

Finally, we note that Robinett's claims, which date from 1979, are barred by the six year statute of limitations. 28 U.S.C. 2501 (1988 & Supp. V 1993).

No costs.

95-5023

TEXT: Motion to include additional documentation

The United States Court of Appeals for the Federal Circuit

No. 95-5023

Robinett,

Plaintiff-Appellant

v.

United States,

Defendant-Appellee

September 18, 1995

Motion to Include Additional Documentation With the Petition for Rehearing and Suggestion for Rehearing in Banc.

Plaintiff requests the Court's permission to include additional documentation with the petition for rehearing and suggestion for rehearing in banc.

Since the August 10, 1995 decision by the Court included references to lack of documentation from the Internal Revenue Service, the plaintiff asks the Court to allowhim to include documentation for the year subsequent to filing the suit herein. Other documentation is included in the original suit.

Also since the lower court refused to grant the plaintiff an additional extension of time to obtain further documentation from the Central Intelligence Agency under the Freedom of Information Act, the plaintiff requests the Court to allow him to include a single document herein. The main body of information obtained thus far is several hundred pages long and is too bulky to include here.

TEXT: Internal Revenue Service Correspondence

57221-232-54523-4 9508 CP:25

Department of the Treasury
Internal Revenue Service
Atlanta, Ga 39901

Date of Notice: Mar.4, 1995
Taxpayer ID: 261-11-4282
Form: 1040:
Tax Period: Dec.31,1993

Michael Robinett
1609 South Fairfield Drive
Pensacola, Florida 32507-1606091

For assistance you may call us
at 354-1760 Local Jax.
1-800-829-1040 Other Fl.

We Changed Your Estimated Tax Total

We changed your 1993 return. As a result of these changes, you owe $0.00. When the amount you owe is less than $1, we do not ask you to pay. (We send refunds of less than $1 only if we are asked to in writing.)

If you think we made a mistake, please write to us, enclosing the stub at the end of this notice with your reply.

Your tax statement

Adjusted gross income on return	$754,426.00-
Taxable income on return	.00
Payments and credits	
Tax witheld	.00
Estimated tax payments	.00
Other credits	.00
Other payments	.00
Total payments and credits	.00

Tax	
Total tax on return	.00
Corrected tax on return	.00
Overpayment of taxes	.00
Penalty	.00
Interest	.00
Amount you owe	.00

TEXT: Correspondence from CIA-FOIA Office

Central Intelligence Agency
Washington, D.C. 20505

Mr. Michael Robinett
c/o 1609 South Fairfield Drive
Pensacola, Florida 32507
Reference: P95-1519
Dear Mr. Robinett:

This acknowledges receipt of your letter dated 12 June 1995 wherein you provided additional information pursuant to your request for information pertaining to yourself. For indentification purposes we have assigned your request the number referenced above.

We have accepted your request it will be processed in accordance with the Freedom of Information Act (FOIA), 5 U.S.C. 552, as amended, and the Privacy Act of 1974, 5 U.S.C. 552a. Our search will be for documents in existence as of and through the date of this acceptance letter. No fees will be charged.

The heavy volume of FOIA requests received by the Agency has created delays in processing. Since we cannot respond within the 10 working days stipulated by the FOIA, you have the right to consider this a denial and may appeal to the CIA Information Review Committee. It would seem more reasonable, however, to have us continue processing your request and respond to ;you as soon as we can. you can appeal any denial of records at that time. Unless we hear from you otherwise, we will assume that you agree, and we will proceed on this basis.

Sincerely, John H. Wright

TEXT: Notice of Docketing

United States Court of Appeals for the Federal Circuit

Notice of Docketing

95-5023 - Robinett v. US

Novemer 29, 1994

Date of Docketing

Appeal from: United States Court of Federal Claims

94-229T

Name of Appellant(s): Michael Robinett

Critical dates for counsel, pro se parties, and court include:

Date of docketing, as above (Rules 12 & 15)

Representation statement (Rule 12)

Entry of appearance due (Rule 47.3)

Certificate of interest due (Rule 47.4)

Briefs due (Rule 31)

Calendar for oral argument or submission on briefs (Rule 34)

Pro se parties should refer to the guide for pro se petitioners and appellants.

Attachments (with recipients noted) to this notice include:

Official caption (All)

Rules of practice (includes guide for pro se petitioners and appellants) (Private parties or counsel)

Entry of appearance form (All counsel and pro se parties)

Informal brief form (Pro se parties)
Motion and Affadavit for leave to Proceed in Forma Pauperis form (Parties owing the docketing fee)

Francis X. Gindhart
Clerk

cc: US Court of Federal Claims
Michael Robinett
Jay G. Philpott, III

TEXT: Order, U.S. Court of Federal Claims

In the United States Court of Federal Claims

Michael Robinett

Plaintiff

v.

United States of America

Defendant

No. 94-229T

Filed: October 6, 1994

ORDER

We interpret the plaintiff's motion for relief to be a motion for reconsideration pursuant to Rule 59. That motion is DENIED.

Robert H. Hodges, Jr.
Judge

TEXT: Judgement, U.S. Court of Federal Claims

In the United States Court of Federal Claims

No. 94-229T

Michael Robinett

v.

The United States

Judgment

Filed: Sep 22, 1994

Pursuant to the court's order of September 16, 1994, denying the plaintiff's motion for enlargement of time,

IT IS ORDERED AND ADJUDGED this date, pursuant to Rule 58, that the complaint is dismissed. No costs.

David A. Lampen
Clerk of Court

September 22, 1994

By:
Deputy Clerk

Note: As to appeal, 60 days from this date, see RCFC 72 re number of copies and listing of all plaintiffs. Filing fee is $105.00.

TEXT: Order, U.S. Court of Federal Claims

In the United States Court of Federal Claims

Michael Robinett

Plaintiff

v.

United States of America

Defendant

No. 94-229T

Filed: Sept. 16, 1994

ORDER

In April, we dismissed all of plaintiff's claims except for that which sought "payment of refund due for overpayment of federal taxes already paid." We asked that plaintiff file a supplemental complaint stating the nature and basis of his last remaining claim. Plaintiff has not clarified his theory of recovery and he has not produced evidence showing that this court has jurisdiction to hear his claim. We may not hear claims for refunds of taxes unless plaintiff has made full payment of the assessed tax liability before filing suit. Flora v. United States, 357 U.S. 63 (1958), affirmed on rehearing, 362 U.S. 145 (1960). No evidence in this case supports jurisdiction even if plaintiff had provided a basis of recovery.

Plaintiff requests an enlargement of time to file his supplemental complaint. We do not understand the relationship between the information plaintiff now seeks, which is the apparent basis for the enlargement, and the single claim to be addressed in his supplemental complaint. The August 10 order clearly warned plaintiff that failing to file supplemental complaint on or before September 9, 1994 could result in dismissal of the complaint in its entirety. lWe do not find that an extension of time would benefit plaintiff or would further the interests of justice. In short, we have provided

plaintiff ample opportunity to address the single claim not dismissed earlier, but plaintiff has been nonresponsive to our requests.

Plaintiff's motion for enlargement is DENIED. The clerk will dismiss the complaint. No costs.

Robert H. Hodges, Jr.
Judge

TEXT: Order, U.S. Court of Federal Claims

In the United States Court of Federal Claims

Michael Robinett

Plaintiff

v.

United States of America

Defendant

No. 94-229T

Filed: Aug. 25, 1994

ORDER

Plaintiff's motion for relief from order to dismiss was rejected because a motion to dismiss had not been filed on July 29, 1994. To our knowledge, it has not been filed to this date. The clerk will return plaintiff's motion unfiled.

Robert H. Hodges, Jr.
Judge

TEXT: Order, U.S.Court of Federal Claims

In the United States Court of Federal Claims

Michael Robinett

Plaintiff

v.

United States of America

Defendant

No. 94-229T

filed: Aug. 10, 1994

ORDER

On April 14, we required plaintiff to file a supplementary complaint by May 2 describing succintly the nature of his claim for refund of federal taxes and including copies of correspondence from IRS rejecting the specific claim for refund for which plaintiff seeks relief.

On June 28, by leave of court, plaintiff filed a motion for enlargement of time to present supplemental information. Plaintiff's motion for enlargement of time is GRANTED. Plaintiff should file his supplemental complaint on or before September 9. Defendant should file its response no later than September 23. We have attempted to provide plaintiff with every opportunity to present a claim within this court's jurisdiction. However plaintiff's failure to file a supplemental complaint in the time allowed by this order may result in dismissal of the remaining claims.

Defendant filed motions for enlargement of time on July 22, July28, and August 3. Defendant's motions are GRANTED. Defendant should proceed in accordance with the schedule set forth above.

Robert H. Hodges, Jr.
Judge

TEXT: Motion for Relief from Order to Dismiss

In the United States Court of Federal Claims

1 : 94-cv-00229*

Michael Robinett

Plaintiff June 17, 1994

v.

United States of America

Defendant

MOTION

Plaintiff files motion for relief from ORDER filed April 14, 1994 claiming the Court lacks jurisdiction over issues of back pay/ back wages, lost income, expenses and personal injury damages and requests the court to immediately forward these aspects of thecase to the civil division of the Justice Department for review.

Plaintiff requests the Court to direct its attention to Appendix K, sections 13/125, 13/195, 13/170, 13/230, 13/380, related section 5/490 and section 4.c. of Appendix K, cover sheet information, pages 64 and 65, Rules of the United States Claims Court.

Michael Robinett

cc: Clerk's Office
Jay G. Philpott, Jr. Esq.

*Note: 94-cv-00229 was the designation given the case by the Justice Department, not 94-229T.

TEXT: Correspondence to U.S. Court of Federal Claims

Michael Robinett
c/o 1609 South Fairfield Drive
Pensacola, Florida 32507

April 21, 1994

Office of the Clerk
United States Court of Federal Claims
717 Madison Place, N.W.
Washington, D.C. 20005

No. 94-229T
Re: ltr. Postmarked April 19, 1994, Washington, D.C.

No. 94-229T was filed with the Office of the Clerk April 8, 1994, not in chamber at a subsequent date.

The plaintiff finds nothing in the rules of the Court of Federal Claims to indicate that the above claim falls outside the jurisdiction of the Court.

No notification of assigned counsel has been sent to the plaintiff in accordance with Rule 81(d)(3).

Paragraphs 1 through 72 of the complaint filed with the court detail the general basis for the plaintiff's complaint, with paragraphs 2 and 7 dealing more specifically with the Internal Revenue Code, and the interest claimed on the refund due according to Internal Revenue Service instructions concerning actions by the defendant to delay filing a return, amended return, etc.

The plaintiff will forward supplemental information as requested by May 2, 1994 and requests the court to cite specific Court Rules and other legal statutes supporting the court's claim that the rest of the claim falls outside the

jurisdiction of the Federal Claims Court.

The plaintiff also respectfully requests the court to forward copies of General Order No. 34 concerning 28 U.S.C. 372 (c) as previously set forth in appendix B.

Respectfully,

Michael Robinett

TEXT: IRS Correspondence filed in chambers, USCFC

Fax filing in chambers to Judge Robert H. Hodges, Jr.
May 2, 1994.
Refiled subsequently with Clerk's office separately and with various motions:

Department of the Treasury
Internal Revenue Service
Atlanta, Ga 39901

Date of Notice: May 24, 1993
Taxpayer ID: 261-11-4282
Tax Period: Dec. 31, 1992

Michael Robinett
1609 South Fairfield Drive
Pensacola, Florida 32507-1606-091

For assistance you may call us
at 354-1760 Local Jax.
1-800-829-1040

We Changed Your Estimated Tax Total

We changed your 1992 return because:
You claimed an incorrect amount as estimated tax payments and credits (see the statement of your estimated tax account at the end of this notice)
As a result of these changes, you owe $.00. When the amount you owe is less than $1, we do ask you to pay. (We send refunds of less than $1, only if we are asked in writing.)
If you think we made a mistake, please write to us, enclosing the bottom part of this notice with your reply.

Your Tax Statement

Adjusted Gross Income on Return	32,575.00-
amount you owe	.00
Adjusted Gross Income as Corrected	27,575.00-
amount you owe	.00

Taxable income on return	.00
Tax witheld	.00
Estimated tax payments	.00
Other payments	.00
Total tax payments and credits	.00
Corrected on tax return	.00

Our records do not show any estimated tax credits for social security number 261-11-4282.

To be sure that IRS employees give courteous responses and correct information to taxpayers, a second IRS agent sometimes listens in on telephone calls.

Keep this part for your records.

TEXT: ORDER, U.S. Court of Federal Claims

In the United States Court of Federal Claims

Michael Robinett

Plaintiff

v.

United States of America

Defendant

No. 94-229T

Filed: April 14, 1994

ORDER

Plaintiff's claims for lost income, back wages, expenses and personal injury damages are beyond the jurisdiction of this court and therefore dismissed. We may consider only plaintiff's claim for "payment of refund due for overpayment of federal taxes already paid." However, it is not clear what the basis for plaintiff"s claim for refund is based upon. Plaintiff will file a supplementary complaint describing succintly the nature of his claim for refund, and the basis therefor. Include copies of correspondence from IRS rejecting the specific claim for refund for which plaintiff seeks relief in this court. this supplemental information must be filed no later than May 2.

Robert H. Hodges

Judge

TEXT: Notice of assignment to Judge Robert H. Hodges, Jr.

In the United States Court of Federal Claims
No. 94-229T

Michael Robinett

v.

United States of America

Notice of Assignment to Judge Robert H. Hodges, Jr.
April 12, 1994

Pursuant to Rule 77(f) this case has been assigned to the above Judge for the conduct of proceedings pursuant to the rules of this court. Careful consideration and observance by counsel of the rules of the court and the orders of the judge applicable to the various steps required for the prosecution of the case will enable the judge and the clerk of court to assist counsel in the expeditious disposition of the case with a minimum of time and expense. Counsels' attention is called to Appendix G to the Rules, which govern proceedings before trial, and has application in every case unless an order is entered providing otherwise. As to the duplication, form and size requirements and number of copies of papers to be filed, see Rules 82 and 83. As to service, see Rule 5. All matters are to be brought to the attention of a judge through formal filings rather than by correspondence; letters are not to be directed to a judge unless specifically requested.

Also, counsels' attention is called to General Order #13 that implements two methods of Alternative Dispute Resolution. The methods are both voluntary (ie. both parties

must agree to use the procedures) and flexible, and should be employed early in the litigation process.

The United States is requested to promptly file written notification of the name, address and telephone number of assigned counsel in accordance with Rule 81(d)(3).

Pursuant to General Order 32: "In pleadings and papers other than the complaint, the name of the judge assigned to the case shall appear under the docket number."

Supreme Court, U.S.
FILED
JUN 20 1996
OFFICE OF THE CLERK

(2)

Docket No. 95-1843

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER 1995 TERM

MICHAEL ROBINETT
Petitioner

v.

THE
FEDERAL GOVERNMENT OF THE UNITED STATES
Respondent

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF
APPEALS FOR THE FEDERAL CIRCUIT
IN 95-5023

SUPPLEMENTAL BRIEF

Plaintiff Pro-Se
Petitioner
Michael Robinett
1609 South Fairfield Drive
Pensacola, Florida 32507
(904) 456-9777

31 pp

QUESTIONS PRESENTED FOR REVIEW

1. Are the plaintiff's claims for back wages, expenses, ordinary income losses and personal injury damages in the jurisdiction of the U.S. Court of Appeals for the Federal Circuit or are they properly in the jurisdiction of the U.S. Supreme Court? The claims are set out on pages 1-10 of the original complaint filed April 8, 1994 in 94-229T. The Order dismissing those claims for lack of jurisdiction was filed April 14, 1994.
2. Is the plaintiff's claim for payment of refund due of federal tax overpayment within the Claim Court's jurisdiction or is it within the Supreme Court's jurisdiction? Plaintiff provided the court with IRS documentation demonstrating an assessed tax liability of zero before filing suit.
3. Was the U.S. Court of Appeals correct in affirming the decision of the lower court in its August 10, 1995 Order in 95-5023 and is the complaint beyond the jurisdiction of the lower court in items 1 & 2 above?
4. Was the Appeals Court in conflict with the decision in Orlikow v. U.S. in regards to the application of the statute of limitations (682 F.Supp. 77 (D.D.C. 1988)) in its August 10, 1995 Order for dismissal and denial of rehearing?
5. Are claims concerning non-specified injections, exposure to radiation, electronic identification tagging, etc., outside the jurisdiction of the lower court and if so, which court does have jurisdiction, the Supreme Court? This also includes radiation exposures outside the specified time periods and geographical regions covered under 28CFR PART 79 where specified time periods end in 1962 and only certain geographical areas are specified.

PARTIES TO THE PROCEEDINGS

MICHAEL ROBINETT
1609 South Fairield Drive
Pensacola, Florida 32507
(904) 456-9777

THE FEDERAL GOVERNMENT
OF THE UNITED STATES
Defense Counsel
Drew S. Day III
Solicitor General of the United States
Room 5614
Department of Justice
10th Street and Constitution Avenue N.W.
Washington, D.C. 20530
(202) 514-2201

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CITED STATUTES & AUTHORITIES

Statutes:

The Constitution of the United States
Arcticle III
Amendment I
Amendment IV
Amendment V
Amendment VII
Amendment VIII
Amendment IX
Amendment XIII
Amendment XV
Amendment XXIV
The Internal Revenue Code
Section 999(a) & (b)
Section 1563(a)
Section 883(b)
Section 3231 (a), (b), (d), & (e)
Section 3121 (a) & (b), (2), (5), (6), (7), & (c)
Section 168 (h)(3), (4)(A)(i), (B) (i), (ii), (iii),
(iv), & (v)
Section 9012 (c)(1)(A)
Section 692 (c)(1)(A)
Section 193 (a), (b), (1) & (2)
Section 190 (a)(i)
Section 7422 (c) & (f)
Title 45, Code of Federal Regulations Part 46
Cal-OSHA IWCC Order 10-85
The Tucker Act: 28 U.S.C. 1491.4

CASES

Assassination Archives and Research Center, Inc.
Plaintiff, v. Central Intelligence Agency, Defendant
Civ. A. No. 88-2600 United States District Court,
District of Columbia, Sept. 11, 1989

Fitzgibbon v. Central Intelligence Agency,
Nos. 89-5213, 89-5214 United Statesl Court of
Appeals, District of Columbia Circuit, May 17, 1990,
August 14, 1990

Marks v. Central Intelligence Agency

Orlikow v. United States, Civ. A. No. 80-3163.
United States District Court, District of Columbia,
January 19, 1988

Stanley v. United States, 483, US 669 97 L Ed 2d 550
107 S Ct 3054 No 86-393 April 21, 1987.
June 25, 1987

United States v. Bechtel Corporation, Bechtel Incorporated,
Bechtel Power Corporation, Bechtel International, Inc.,
and Bechtel International Corporation, No. 79-4194
United States Court of Appeals. Ninth Circuit,
January 14, 1981, June 18, 1981

SUPPLEMENTAL BRIEF

No. 95-1843

The petitioner wishes first to take this opportunity to thank both the Supreme Court and the Solicitor General's Office for their consideration in reviewing the petition of a pro-se plaintiff.

The issues thus far considered by the lower Courts have been mainly those concerning court jurisdiction authorized by specific statute and and the proper application of the statute of limitations. The specific aspects of those issues being considered are enumerated in the questions presented for review.

Certainly a pro-se plaintiff's lack of knowledge of the complex technicalities of court procedures and rules can be a source of difficulty both for himself and the justices and defense counsels assigned to the case.

Also it seems that the issues involved in the case and the calculations supplied by the plaintiff, have resulted in consideration of and limitation to only the jurisdictional issues of the case.

There is indeed an inherent difficulty in coherently describing a situation or sequence of events which involves psychological depatterning or 'brainwashing', so perhaps previous criticisms of the plaintiff's submissions to the lower courts as being 'rambling' or 'farfetched' are not entirely without merit.

It would indeed take some time for a person subjected to a high-tech arsenal of psychological de-stabilizing techniques to first realize even dimly, what had happened, and then go about gathering some form of documentation and

perhaps even ultimately file some form of legal action.

In fact, for over three decades, official policy has been scrupulously designed to prevent such an event from ever occurring. According to author and former Central Intelligence Agency employee, John Marks, most such experiments and operations were designed so that any outside doctor would almost invariably misdiagnose a patient who had been subjected to such treatment.

Previously de-classified government documents such as #419, 03 OCT 1975 regarding the destruction of drug and toxin related files from project MKULTRA and document CH-3607 regarding the injection of the metal plutonium into human subjects are indicative of the general trend historically towards certain types of goverment experiments and operations. Understandably so, the most compelling arguments against de-classification of certain documents were for legal and 'national security' reasons. Another declassified document published in the Final Report of the Advisory Committee on Human Radiation Experiments, released October 1995, gives the earlier legal rationale against declassification of document CH-3607.

"The document [CH-3607] appears to be the most dangerous since it describes experiments performed on human subjects, including the actual injection of the metal plutonium into the body. The locations of these experiments are given and the results, even to the autopsy findings in the two cases. It is unlikely that these tests were made without the consent of the subjects, but no statement is made to that effect and the coldly scientific manner in which the results are tabulated and discussed would have a very poor effect on the public. Unless, of course, the legal aspects were covered by the necessary

documents, the experimenters and the employing agencies, including the U.S., have been laid open to a devastating lawsuit which would, through its attendant publicity, have far reaching results."

Legislative trends over the past decade or so concerning the statute of limitations have also been consistent with this policy in many regards. The general trend has been towards establishing no prosecutorial limit of the statute in regards to individuals, while at the same time decreasing the statute to two years or less where it concerns government liability.

Another issue of general concern is the technology itself, an issue which cuts across questions of only jurisdiction and also goes into areas which concern the veracity or credibility of the case itself, the merits of such a case, and evidence.

Generally speaking, there is 20 year time lag between development of new technologies and their publication in the press. Most of the government documents presented in the exhibits and the technologies involved are several decades old and have just recently been declassified.

They could be declassified only because the specific programs they covered are no longer operational.

Likewise, there is a time lag between research & development, operational applications, published accounts of new technologies, and enactment of specific statutues covering the wide range of possible applications.

There is also a 'trickle-down' effect regarding technological developments from R&D agencies like the Central Intelligence Agency to other government agencies. The composition, demographics, and 'human' profile of

various government agencies plays a part in how new technologies are applied. What was classified CIA technology twenty to thirty years ago is in all probability widely accessible to a multitude of government agencies today, all with different goals and budget resources.

Which leads to one of the last issues presented for consideration in this supplemental brief. This is the difference in magnitude between individual and governmental assests, resources, and revenues.

The numbers presented in the original complaint filed with the U.S. Court of Federal Claims are in a sense rhetorical. One doesn't really expect to 'get' anything in a case like this. Only faith in American constitutional government and its legal system could lead one to follow this path. If the structure of constitutional government is intact and working, one could file such a lawsuit. If it's not intact or working, it would be impossible to do so.

In another sense however, when faced with a governmental structure with assests of over 4.6 trillion dollars utilizing the technologies involved, it is not 'unreasonable' to calculate losses, expenses, etc. in the manner prescribed by existing federal and state statutes as the plaintiff has done.

Say for instance, that an agency had placed such electronics as contained in the exhibits on an individual for intelligence gathering purposes. If it was done in an unobtrusive manner, the individual and the surrounding population would be none the wiser, it would probably never be raised as an issue, and perhaps, legitimate 'national security' interests might have been served.

What if however, control of those same electronics was taken over by another political faction within the

government and utilized for political suppression, destabilization, brainwashing, torture, obstruction and even 'entertainment' or 'bread and circuses'. Then other legal issues must be considered and that is one of the main questions raised implicitly here.

In conclusion, the plaintiff requests the Court to grant the petition for writ of certiorari so that ultimately, issues beyond that of jurisdiction itself may be properly addressed.

Respectfully submitted,

Plaintiff-Petitioner Pro Se
Michael Robinett
1609 South Fairfield Drive
Pensacola, Florida 32507
(904) 456-9777

EXHIBIT - 1

PHOTO - MICROCHIP ID IMPLANT

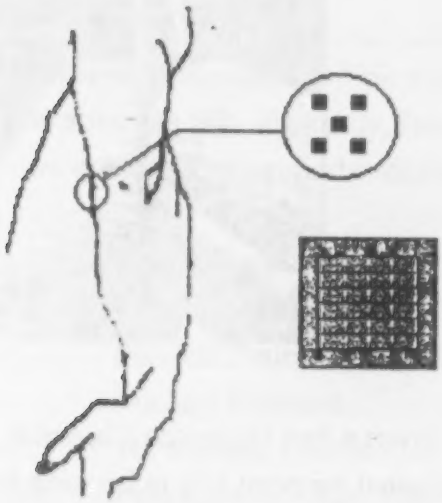
From a San Francisco Chronicle Article, circa 1984. Their original purpose was in locating lost pets, but their use on humans is a clear violation of Constitutional Law.

The chips are encased in glass and are as small as a grain of rice. They were designed to be injected with a needle near an animal's shoulder blades. The chips contain digitized files that correspond to local and international files containing any information input into the computerized system. The scanner system is similar to that at the supermarket checkout stand and most so-called 'smart buildings' have similar systems to scan anyone coming in or out of the building.

While their use to locate lost pets is perhaps commendable, their use on humans signals the development of a computerized Orwellian 'police state'.

EXHIBIT - 2

DIAGRAM OF IMPLANT SITE

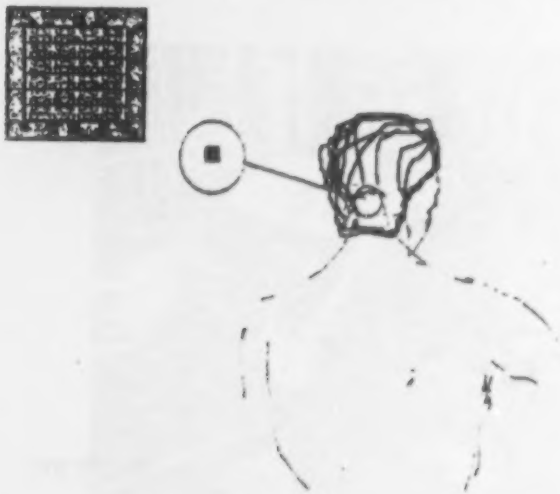


Navigable, implanted microprocessors.
Berkeley, California
January 1983

While the idea of active electronic sensors for medical and scientific monitoring is perhaps a good one, the use of implanted microelectronic sensors on humans without consent is in clear violation of constitutional law yet not covered by specific statute. Active electronic sensors due much more than just monitoring and can be used to affect both the voluntary and involuntary muscle systems. Their use ranges from torture and political re-education to labor violations covered by the 13th Amendment.

EXHIBIT - 3

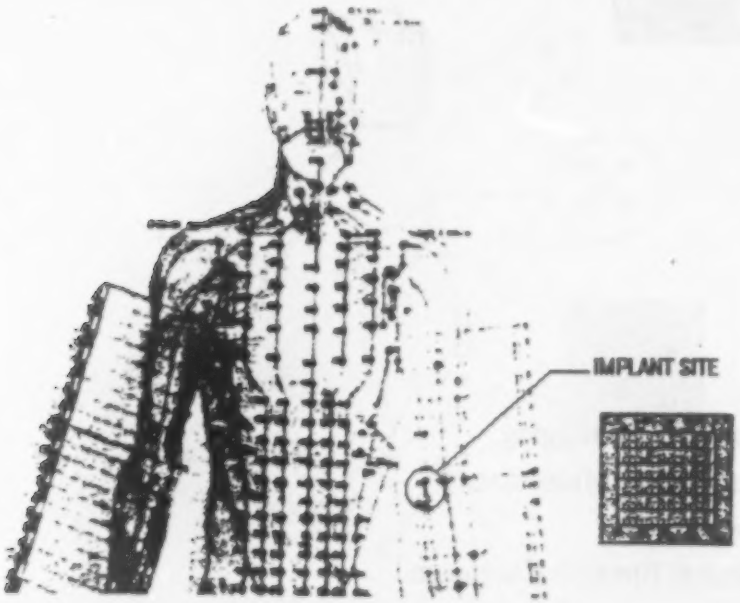
MICRO-ELECTRONIC IMPLANT SITE



Limbic brain tagging,
Cambridge, Massachusetts
August 1980
General Election Campaign

EXHIBIT - 4

ACUPUNCTURE CHART SHOWING IMPLANT SITE



Microelectronic acupuncture utilizes the same general principles as the tradtional form but it can be effected from remote locations via wireless transmission using computers.

The implant site shown above is at a location affecting certain involuntary muscle systems such as the heart, etc.

EXHIBIT - 5

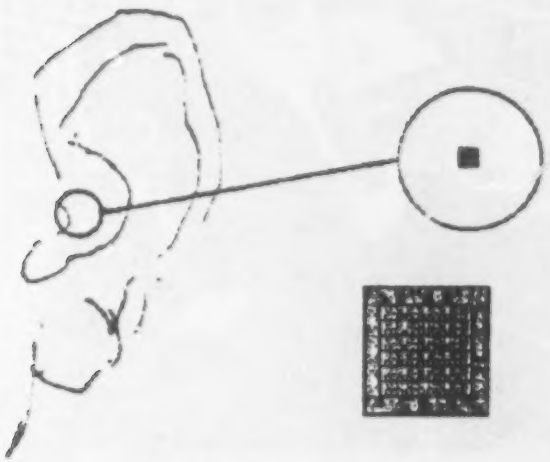
SCANNING AN ANIMAL FOR AN IMPLANTED ID TAG

An example of scanning for an implanted microelectronic id tag using a hand held scanner. Similar systems also incorporate the use of so-called 'invisible fencing' as containment devices for pets and other animals.

'Smart building' technologies can accomplish the same thing when used in conjunction with implanted id tags in human populations.

EXHIBIT - 6

MICROELECTRONIC EAR IMPLANT



Developed to cure hearing defects, such micro-electronic implants also have a surveillance use with obvious advantages. They also have a brainwashing use and are consistent with earlier research studies using pulsed microwave audiograms and studies involving guided animal research.

EXHIBIT - 7

ARBORIZATION COLUMN WITH ELECTRODE

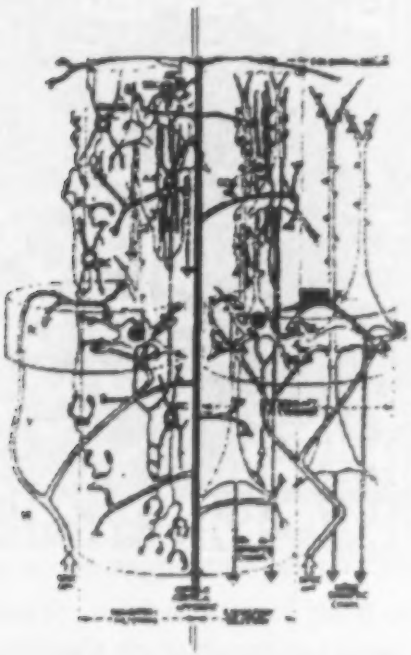
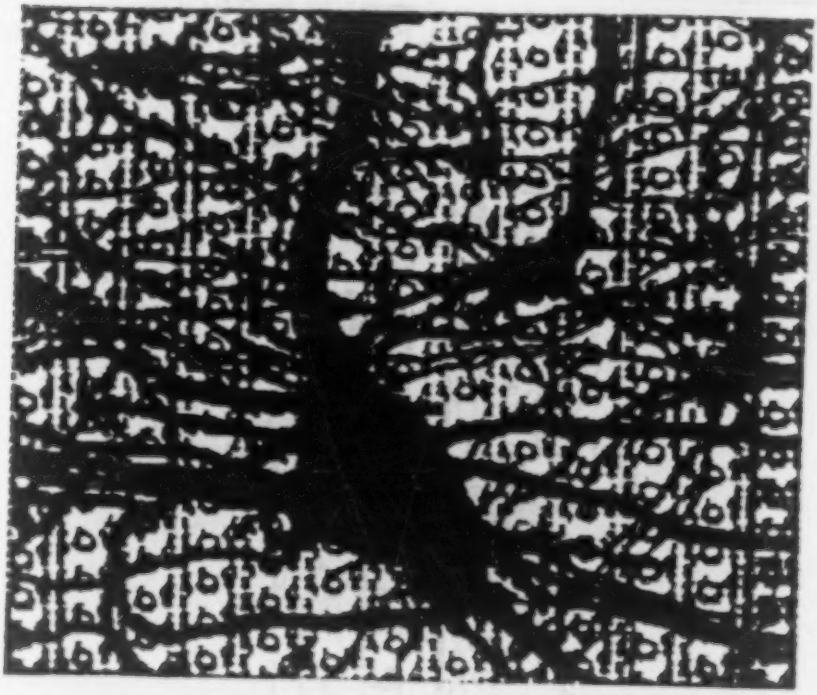


Diagram shows inhibitory and excitatory pathways in the structure of the human brain with a typical 'hot wire' implant. Here the term is used in the literal sense of the word.

EXHIBIT - 8

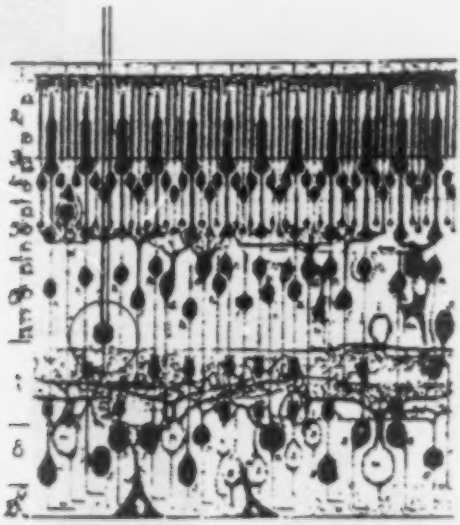
MICROCHIP SUPERIMPOSED ON A BRAIN NEURON



Drawing from a research study showing the scale and relative structures of human brain cells and micro-electronic devices.

EXHIBIT - 9

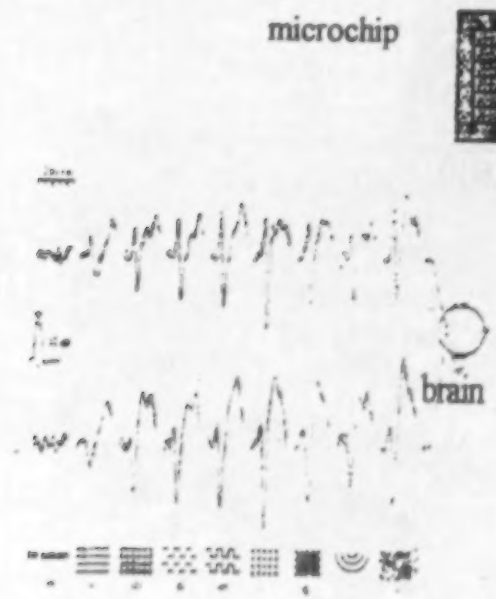
TYPICAL ARRAY OF NEURONS WITH ELECTRODE



Tapping into a single brain cell no longer poses a technical problem for modern science but it does create legal problems that are not covered currently by specific statute when implantation is without informed consent and applications can range from interrogation and torture to coerced labor. While the Constitution is clear on such issues, the application of specific statutes to specific technical applications often lags two to three decades behind the technological developments themselves.

EXHIBIT - 10

BRAIN WAVES AND COMMUNICATION



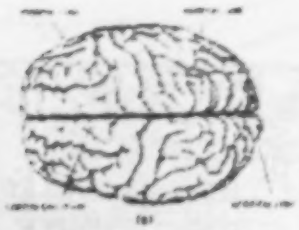
Research studies conducted several decades ago utilized pulsed microwave audiograms in sending transmissions to the human brain outside the normal range of human hearing. These early studies were primarily cold war brainwashing studies designed to keep up with developments in other countries. The Pensacola Naval Aerospace Medical Research Institute was one of the facilities involved in such research although this was decades ago and even the published technology of today is far advanced from those early studies and readily available commercially.

BEST AVAIL

EXHIBIT - 11

THE HUMAN BRAIN AND ITS STRUCTURE

brain



microchip

ABLE COPY

EXHIBIT - 12

MICROCHIP

EXHIBIT - 13

DIAGRAM SHOWING ARRAY OF CELLS IN BRAIN

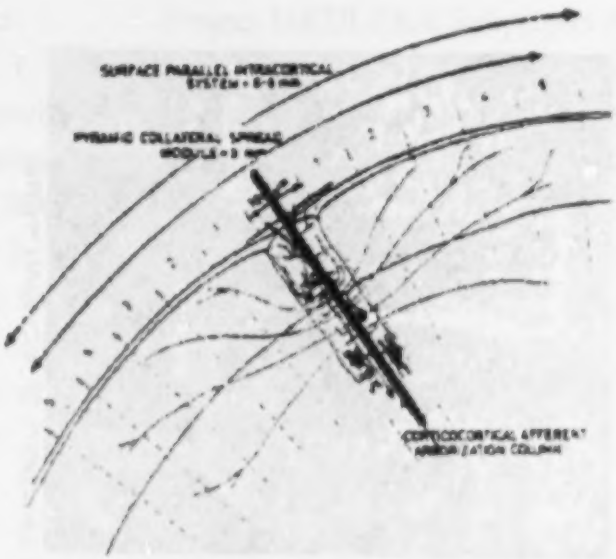
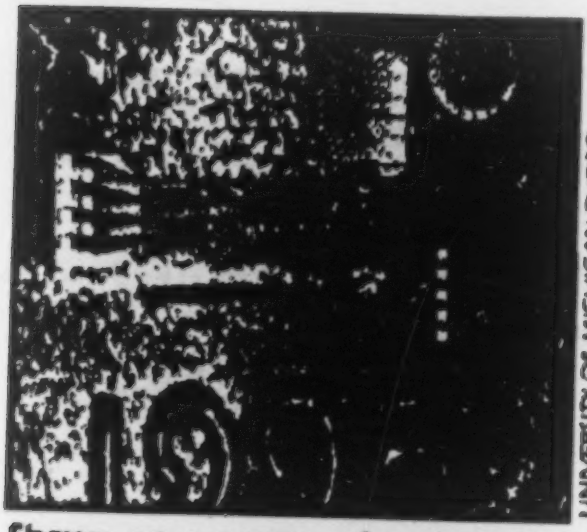


Diagram showing an arborization column of the human brain and its inhibitory and excitatory pathways with an implanted electrode. Platinum electrodes from the early 1980's were thinner than a human hair and today's versions are smaller still. Popular culture utilizes the term 'antenna head' and in conjunction with both surface and satellite transmission systems the Orwellian implications of such a simple device are obvious and outside the areas covered by specific statutes, yet still clearly covered by the Constitution.

EXHIBIT - 14

Photo from an article on hot-wiring the human brain.



Shown on a penny, microelectrodes can tap into single nerve cells.

"Machined from silicon and laced with circuitry...the probes will be distributed to neuroscientists free of charge."

Applications range from implants to alter deafness or hearing and control of muscle paralysis and muscle action. From a July 1995 article.

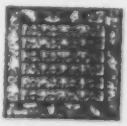


EXHIBIT - 15

GOVERNMENT DOCUMENT #ABIII, 2/18, 2-10-54
142-14, Released Dec. 1994

Memorandum For: The Record

Subject: Project MKULTRA, Subproject No. 142

1. The purpose of this subproject is to provide funds to support a small biological program of electrical brain stimulation involving some new approaches to the subject by XXXXXXX. ...

2. ...Some of the uses proposed for these particular animals would involve possible delivery systems for BW/CW agents or for direct executive action type operations as distguinshed from the eavesdropping applications of XXXX....

XXXXXXXXXX

Chief, TSD/Research Division

EXHIBIT - 16

GOVERNMENT DOCUMENT #ABIII, 142-14
Released Dec. 1994

PROPOSAL

It is proposed to carry out certain biological studies involving electrical stimulation of cold- blooded animals. In addition to the various theoretical reasons for such studies, it appears that certain practical guidance systems inolving more detailed behavioral control of both positive and negative sorts may be possible than are presently attainable in the warm-blooded animals being investigated. It is also possible that these simpler systems can accomplish the same operational goals with far less critical demands on the electronic parts of the guidance and control system.

The work to be done will consist of literature search, experimental placement of electrodes, observation of effects of stimulation and collation of information regarding the behavioral effects of stimulation in the various well defined areas. Biologically stable preparations with defined stimulation properties will result from this work.

EXHIBIT - 17

GOVERNMENT DOCUMENT #419 10-3-75

Released Dec. 1994

MEMORANDUM FOR: Inspector General

SUBJECT: Destruction of Drug and Toxin Related Files

1. On your instructions, I have investigated the destruction of Agency records related to drugs and toxins. ...This investigation was limited to avoid interfering in any way with other ongoing investigations of this matter, including that of the FBI.

EXHIBIT - 18

GOVERNMENT DOCUMENT -UNNUMBERED, 5-5-55
MKULTRA SUBPROJECT 128-1, Released Dec. 1994

Purpose:	To test a method of rapid hypnotic induction in simulated and real operational settings.
Initiated:	October 1960
Contractor:	XXXXXXX
Cost:	$9000.00.
Status:	Testing completed. Written report being completed.

EXHIBIT - 19

GOVERNMENT DOCUMENT, UNNUMBERED, 5-5-55, MKULTRA SUBPROJECT 49-28, Released Dec. 1994

PROPOSAL FOR RESEARCH IN HYPNOSIS AT THE XXXXXXX. ...

Variations in techniques of induction:

In order to determine the extent and effectiveness of various other factors, such as non-verbal, visual and auditory, in the induction of hypnosis, the following experiments are proposed:

1. Auditory techniques...: ...
2. Non-verbal and/or visual techniques: ...
3. Visual stimulation: ...

Other fields of investigation:

1. Auto hypnosis...
2. Effectiveness of hypnotists...
3. Duration and durability of hypnotic block.

EXHIBIT - 20

GOVERNMENT DOCUMENT ,

MKULTRA SUBPROJECT 106-1, 5-22-62

Released Dec. 1994

Proposal

It is proposed to continue research on problems critical to a clarification of the fundamental aspects of the stimulus response relationship in biological systems. Studies will be conducted using chronicanimal preparations with permanent septal electrodes. Investigations will be conducted utilizing chronic electrode preparations coupled with selected classical types of conditioning. Studies will be conducted on the geography of the brain in selected species of animals to determine the locus in which stimulations will produce specific reactions.

A careful literature survey, especially of the Russian literature, of foreign research in this area will be conducted.

EXHIBIT - 21

TEXT OF ARTICLE,

Computers & Software

Future Watch

The Body Binary

Within the next ten years, we'll have minature computers inside us to monitor and perhaps even control our blood pressure, heart rate, and cholesterol. Within 20 years, such computers will correct visual and hearing signals, making glasses and hearing aids obsolete.

At least that's how Bertrand Cambou sees it. As director of technology for Motorola's Semiconductor Products in Phoenix, Cambou has been a part of the miniaturization of microprocessors and the development of wireless communication technologies. Both would have central roles in putting computers inside the human body.

It is now possible, notes Cambou, to put the sensors, processors, and wire-less radio frequency (RF) devices for an internal computer on to a single, tiny chip. The RF signalling would permit accurate readouts of vital statisitics without attaching anything to-or drawing anything from the body. Even more amazing, interal computers might enable the deaf to hear and the blind to see. A chip implanted on the optic nerve, for example, could correct defective images or simply transmit entire images to the nerve.

- The notion of putting computers inside the body may be more realistic than it sounds. "We are not aware of any current obstacles to the encapsualtion and implanting of electronic devices within the body, and the transmission characteristics [of radio frequencies] through the body are well known," says Cambou.-Philip L. Harrison